

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>In re:</b>	)	<b>In Chapter 7</b>
	)	<b>Case No. 18 B 35437</b>
<b>STEVEN D. ZARLING,</b>	)	<b>Honorable LaShonda A. Hunt</b>
	)	<b>Motion Date: July 3, 2019</b>
<b>Debtor.</b>	)	<b>Motion Time: 10:30 a.m.</b>

**NOTICE OF MOTION**

TO: See Attached Service List

PLEASE TAKE NOTICE THAT on July 3, 2019, at the hour of 10:30 a.m., a **THIRD ROUTINE MOTION OF LINDA NELSON TO EXTEND TIME TO OBJECT TO DISCHARGE AND DETERMINE THE DISCHARGEABILITY OF DEBT** shall be heard before the Honorable LaShonda A. Hunt of the United States Bankruptcy Court for the Northern District of Illinois, Courtroom 719, 219 South Dearborn, Chicago, Illinois. A copy of same is attached hereto and thereby served upon you. You may appear if you so see fit.

**NOTE THAT THE PROPOSED ORDER APPENDED TO THIS MOTION MAY BE ENTERED BY THE JUDGE WITHOUT PRESENTMENT IN OPEN COURT UNLESS A PARTY IN INTEREST NOTIFIES THE JUDGE OF AN OBJECTION THERETO PURSUANT TO LOCAL RULE 9013-9.**

GOLAN CHRISTIE TAGLIA LLP

**AFFIDAVIT OF SERVICE**

I, Robert R. Benjamin, an attorney, certify that I caused the foregoing Notice of Motion and Third Motion to Extend Time to Object to Discharge and Determine the Dischargeability of Debt to be served upon the parties who receive notice via CM/ECF, by e-mail and first class mail postage prepaid sent from 70 W. Madison Street, Suite 1500, Chicago, IL 60602 on June 25, 2019.

/s/Robert R. Benjamin

Robert R. Benjamin

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**SERVICE LIST**

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Chase  
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Wilmington, DE 19850  
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Citi  
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Kansas City, MO 64141-1036  
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Commerce Bank  
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St. Louis, MO 63141  
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Creditors Discount & Audit (RETA)  
415 E. Main St.  
PO Box 213  
Streator, IL 61364  
Via Regular Mail

Discover Bank  
PO Box 15316  
Wilmington, DE 19850  
Via Regular Mail

Dr. Grochowski  
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Illinois Spine Institute  
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Midwest Sports Medicine  
901 W. Biesterfield Rd., Ste. 300  
Elk Grove Village, IL 60007  
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2001 Butterfield Rd., #220  
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Syncb/Pay Pal  
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Syncb/Sam's Club DC  
PO Box 965060  
Orlando, FL 32896-5060  
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Syncb/Walmart  
PO Box 965024  
Orlando, FL 32896-5021  
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Synchrony Bank  
c/o PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541  
Via Regular Mail

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<b>In re:</b>	)	<b>In Chapter 7</b>
	)	<b>Case No. 18 B 35437</b>
<b>STEVEN D. ZARLING,</b>	)	<b>Honorable LaShonda A. Hunt</b>
	)	<b>Motion Date: July 3, 2019</b>
<b>Debtor.</b>	)	<b>Motion Time: 10:30 a.m.</b>

**THIRD ROUTINE MOTION OF LINDA NELSON TO EXTEND TIME FOR  
FILING OBJECTION TO DISCHARGE AND/OR DISCHARGEABILITY  
PURSUANT TO 11 U.S.C. §§ 727 AND 523**

Creditor, LINDA NELSON (“Nelson”), requests that the Court enter its proposed order extending the last date for Nelson to file an objection to the discharge and/or dischargeability of Debtor, Steven D. Zarling. In support thereof, Nelson states as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction to consider this Motion pursuant to 28 U.S.C. § 1331. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory predicate for the relief requested in this Motion is Federal Rule of Bankruptcy Procedure 4004(b).

**RELIEF REQUESTED**

3. On December 26, 2018, Debtor filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code (“Bankruptcy Code”). Subsequently, Richard J. Mason was appointed Trustee.

4. The original last day to file an objection to the discharge and/or dischargeability was April 1, 2019. On April 10, 2019, this Court entered an order granting Nelson’s first motion to extend the Objection Deadline (the “Objection Deadline”) to June 1, 2019 [**Docket No. 15**]. On

May 30, 2019, this Court entered an order granting Nelson's second motion to extend the Objection Deadline to July 1, 2019 [**Docket No. 22**].

5. Pursuant to Rule 4004(b), the Court may, on the motion of any party in interest, after notice and a hearing, for cause extend the time to file a complaint objecting to discharge, which motion shall be filed before the time has expired.

6. Local Rule 9013-9 provides that a motion to extend the time for objecting to discharge and/or dischargeability may be designated as a "routine motion" in which case the Court may enter the proposed order without presentment unless the Court is notified of an objection.

7. Nelson has not completed her investigation and requires additional time to complete her due diligence. Specifically, Nelson is investigating whether the Debtor should be denied discharge or his debt to Nelson be declared non-dischargeable due to fraudulent transfers and the failure to surrender property in which Nelson has a security interest as a result of a judgment lien imposed through a Citation to Discover Assets. Therefore, cause exists to extend the objection deadline. Otherwise, Nelson may be forced to file a premature adversary complaint which might needlessly increase the costs of litigation for both the Debtor and Nelson.

8. On June 7, 2019, Nelson issued a Subpoena for Rule 2004 Examination to the Debtor setting an examination date of July 8, 2019. A copy of the Notice of Subpoena and Subpoena for Rule 2004 Examination are attached hereto as **Exhibit A**.

9. The requested extension is without prejudice to Nelson's right to seek a further extension or Debtor's right to object thereto.

10. This is the third request to extend time. It is not interposed for an improper purpose or to delay these proceedings.

11. Furthermore, counsel for Ms. Nelson has filed a Motion to Retain Special Counsel on behalf of Richard Mason, not individually but as Chapter 7 Trustee of the Estate of Steven D. Zarling (the “Trustee”) as putative attorneys for the Trustee. **[Dkt. No. 23.]** As putative attorneys for the Trustee, Golan Christie Taglia LLP anticipates substantial overlap in the investigation and discovery being conducted pursuant to Rule 2004 by Ms. Nelson.

12. Notice of this Motion has been served on all parties of record entitled to notice in the case.

WHEREFORE, Creditor, LINDA NELSON, prays this Honorable Court enter an order extending the last date for her to object to Debtor’s discharge and/or dischargeability to and through September 27, 2019 and for such other and further relief as may be appropriate.

Dated: June 25, 2019

LINDA NELSON, Movant

By: Robert R. Benjamin  
One of her attorneys

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